

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

THE CORNUCOPIA INSTITUTE,

Plaintiff,

ORDER

v.

06-C-182-C

UNITED STATES DEPT. OF AGRICULTURE,

Defendant.

Defendant has moved for an order staying discovery until after a ruling on the pending summary judgment motion. More specifically, defendant wishes to be protected from answering plaintiff's four requests for admission. *See* dkts. 10-12.

Plaintiff opposes the motion, contending that its four requests for admission are highly relevant to the issues in the lawsuit, it is entitled to responses, and responding to these RFAs cannot possibly be construed as a burden to the government. *See* dkt. 13.

The requested admissions appear to address heartland issues in this lawsuit. We have not stayed discovery in this case and this court does not stay discovery pending resolution of dispositive motions except in extraordinary circumstances that are not present here. F.R. Civ. Pro. 36 specifically provides for discovery of the sort plaintiff seeks; it is not the defendant's place to instruct plaintiff how it should conduct discovery in this lawsuit. Notwithstanding defendant's protestations, these RFAs would not be difficult or time-consuming to answer.

Therefore, it is ORDERED that defendant's motion for a protective order is DENIED.

Entered this 15th day of November, 2006.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge